

# **TIVERTON TOWN COUNCIL AGENDA**

**Tiverton Town Hall**

**343 Highland Road**

**Tiverton, Rhode Island 02878**

## **AMMENDED AGENDA**

**Regular Meeting: Monday, March 25, 2013 at 7:00 p.m.**

**NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 forty-eight (48) hours in advance of the meeting date.**

**DATE POSTED: 03-22-2013**

### **1. PLEDGE OF ALLEGIANCE TO THE FLAG**

### **2. ROLL CALL**

**Edward Roderick-President Joan B. Chabot Denise M.  
deMedeiros-Vice President William P. Gerlach  
James J. Arruda Jay J. Lambert  
Brett N. Pelletier**

### **3. APPROVAL OF CONSENT AGENDA**

**All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a**

member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

**PROCLAMATION - GIRL SCOUT BROWNIE TROOP 118**

**PROCLAMATION – TIVERTON LIBRARY WEEK**

**PROCLAMATION – TIVERTON CLEAN UP WEEK**

**PROCLAMATION – APRIL AS DONATE LIFE MONTH**

**A. BUSINESS BROUGHT BEFORE THE COUNCIL**

**CONSENT AGENDA:**

**(C.A.) 1. a. Approval of Minutes Special Council Meeting March 9, 2013**

**b. Approval of Minutes Regular Council Meeting March 11, 2013**

**c. No Executive Session Held on March 11, 2013**

**(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions**

**a. Wastewater Management Commission (2)**

**b. Board of Canvassers (2)**

**c. Conservation Commission (2)**

**d. Pocasset Cemetery Commission**

**e. Historical Cemetery Commission**

**f. Planning Board (2)**

**(C.A.) 3. Correspondence – Receive and File**

- a. Tiverton School Committee – Legislation Submitted by Representative Dennis M. Canario Regarding Education Equity and Property Tax Relief Act**
- b. City of Newport – Resolution Supporting Legislation Allowing Technology – Remote Participation by Video Conferencing for Advisory Boards and Working Groups**
- c. Exeter Town Council – Resolution in Support of S 0044 and H 5072 – Act Relating to Elections – Eliminate Single Party Vote Mechanism**
- d. Westerly Town Council – Resolution Opposing Mandatory Binding Arbitration on Monetary Matters for Teachers**
- e. Received From The Samaritans of Rhode Island – Acknowledgement of Donation**
- f. Town of Middletown – (2) Resolutions Opposing Mandatory Binding Arbitration Legislation and Opposing S-365, S-777 and H-5699 Mandating Expired Teacher, Police, Firefighter or Municipal Employee Contracts Must Continue at Existing Terms and Conditions**

**(C.A.) 4. Town Administrator – February Department Reports**

**(C.A.) 5. James O'Dell – Drainage Issue at Pocasset School – Referred to Town Administrator**

**(C.A.) 6. Town Council Resolution Opposing Contract Continuation Legislation**

**(C.A.) 7. Town Council Resolution Opposing Binding Arbitration**

## **Legislation**

**(C.A.) 8. Town Council Resolution Supporting Portsmouth Council Letter Opposing Bridge Tolls**

**(C.A.) 9. Town Council Resolution Supporting Legislation to Eliminate Single Party (Master Lever) Voting**

**A-5 OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS**

## **B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS**

### **PUBLIC PRESENTATIONS**

**1. Marcel Valois – Tiverton Business Park – Economic Development Foundation**

**2. Landfill/Recycling Sub-Committee – Council Update**

### **ADVERTISED PUBLIC HEARINGS**

**3. Small Cities Community Development Block Grant– Second Public Hearing - Community Development Block Grant Application – Christian Belden – Church Community Housing**

**4. Public Hearing on Proposed Town Code Changes to Chapter 10 – Animals – Proposed Amendment Will Revise Section 10-33 to Clarify the Status of Dogs Roaming at Large and to Provide a Fee For the Cost of Boarding Any Dog Impounded by the Town**

**5. Public Hearing on Proposed Town Code Changes to Chapter 42– fire Prevention and Protection – Amendment to Add a New Section 42-2 to Provide for the Collection of Fees for Certain Fire Safety Inspections and Re-Inspections As Provided for in the Rhode Island general Laws**

**6. Public Hearing on Fee and Fines Resolution – Proposed Amendments Pursuant to Code of Ordinance Section 2-1-Fees and Fines**

#### **C. TOWN COUNCIL SITTING AS BOARD OF LICENSING**

**1. Robert Vital d/ b/a East Coast Wholesale– Requests Approval of Fireworks Permit at 1560 Bulgarmarsh Road, Rte 177 Flea Market From April 1, 2013 to July 4, 2013 – Subject To Meeting All Legal Requirements – Recommendation of Fire Department**

#### **D - APPOINTMENTS & RESIGNATIONS:**

**1. Interview for Recreation Commission Vacancy- Advertised–3 Year**

**Term Expiring April 15, 2016**

**a. Recreation Commission – John T. Cordeiro**

**E - UNFINISHED BUSINESS:**

**1. Councilor Gerlach - Stafford Pond – Ordinance Amendments**

**a. Proposed Ordinance Amendments to Protect Water Quality and Establish Advisory Committee – Scheduling of Public Hearing on April 22nd**

**b. Proposed Ordinance Amending No Parking From South Intersection of Stafford Road and Old Stafford Road Northerly to a Point 50 Feet South of Pole #943 (Approximately Adjacent to #997 Old Stafford Road)– Scheduling of Public Hearing on April 22nd**

**2. Town Administrator – Discussion and Approval of Revised Model Contract**

**3. Town Administrator – Approval of Advertising and Job Description for Position of Town Planner**

**Planning Board Memorandum As To Role of Town Planner**

**F – FINANCIAL BUSINESS:**

**1. Chief Blakey – Requests Authorization to Transfer \$40,000 From Acct #333-112 (Deputy) to Acct #333-102 (Overtime)**

**2. Steve Berlucchi, DPW Director – Requests Authorization to Transfer \$4,400 From Acct #553-101 (Landfill Payroll) to Acct**

## **#554-101 (DPW Payroll)**

### **3. Councilor deMedeiros – Discussion on 2013/2014 Budget**

#### **G - NEW BUSINESS:**

**1. Councilors Gerlach and Pelletier – Scheduling a Joint Workshop With Economic Development Commission to Engage Our Local Business Community**

**2. Chief Blakey – Requests Permission to Advertise and Hire Full Time and Per Diem Communication Control Operators**

**3. Town Administrator – Request Council Approval to Modify Rules and Regulations at Town Farm to Allow Pets on Walking Track**

**4. Councilor Pelletier – Requests Update on Website**

#### **H – BIDS AND REQUESTS FOR PROPOSALS**

#### **I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS**

#### **J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS**

**1. Town of Tiverton v. LAL Construction Company, Inc. et. al. – Case #NC-2013-0087**

**Consent Order**

**2. Nonquit School Update**

## **L- TOWN CLERK ITEMS AND ANNOUNCEMENTS**

### **5. CLOSED EXECUTIVE SESSION**

**1. Town Administrator – Disposition of Town Held Property 42-46-5(5) – Nonquit School**

**2. Town Administrator - Prospective Business or Industry 42-46-5(a)(6) – Industrial Park**

**A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended**

**6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”**